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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE-OPELOUSAS DIVISION

VAILLIE J. LANDRY

CIVIL ACTION NO. 07-1166

VS.

JUDGE MELANÇON

COMMISSIONER SOCIAL SECURITY  
ADMINISTRATION

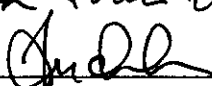
MAGISTRATE JUDGE METHVIN

**JUDGMENT**

This matter was referred to United States Magistrate Judge Mildred E. Methvin for Report and Recommendation. No objections have been filed. The Court concludes that the Report and Recommendation of the magistrate judge is correct and therefore adopts the conclusions set forth therein.

Accordingly, **IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the Commissioner's decision is **REVERSED** and **REMANDED**.<sup>1</sup> On remand, the ALJ shall use the services of a vocational expert and shall consider and make a finding regarding Landry's ability to sustain employment, in light of her recurrent bouts of abdominal pain. The ALJ should also consider whether Landry has a somatoform disorder, and any limitations resulting therefrom.

*Lafayette, Louisiana this 18th day of November 2008.*

  
Tucker L. Melançon  
United States District Judge

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<sup>1</sup> This constitutes a "final judgment" that triggers the filing period for an EAJA fee application. Shalala v. Schaeffer, 509 U.S. 292, 113 S.Ct. 2625, 2631 (1993); Freeman v. Shalala, 2 F.3d 552 (5<sup>th</sup> Cir. 1993).